

REMARKS

This is in response to the Non-Final Office Action mailed on November 27, 2012. In the Office Action, claims 15-18 were rejected. Claims 19-22 are added. Support for the amendments can at least be found in pages 7-9. No new matter is added. Claims 15-22 are pending in the application. In light of the following remarks, Applicants respectfully request advancement of this application to allowance.

Rejections Under 35 U.S.C. § 103

In the Office Action, claims 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 7,536,705 to Boucher et al. ("*Boucher*") in view of United States Patent No. 5,585,866 to Miller et al. ("*Miller*").

Independent claim 15 recites, in part, "determining, at the first set-top terminal, a view action of moving a cursor to a lookahead time interval within the selected interactive program guide user interface presented on the viewer's equipment," "in response to the determined view action, sending a request from the first set-top terminal to a session manager at the headend via a bi-directional out-of-band channel of the broadband content distribution network for an interactive program guide page corresponding to the determined view action," "retrieving, at the headend, the interactive program guide page corresponding to the determined view action," "combining, at the headend, the interactive program guide page corresponding to the determined view action and a bit stream for audio and video of a broadcast video program to form a determined transport stream" and "transmitting the determined transport stream to the first set top terminal for extraction, at the first set-top terminal, the interactive program guide page

corresponding to the determined view action is presented in the selected interactive program guide user interface on the viewer's equipment."

Boucher fails to disclose the above elements. Indeed, the Office Action states that "*Boucher* fails to disclose determining, at the set-top terminal, a view action of moving a cursor to a lookahead time interval within the presented interactive program guide user interface; in response to the determined view action, wherein said interacting consists of sending a request from the set-top terminal to the session manager at the headend via the bi-directional out-of-band channel for an interactive program guide page corresponding to the determined view action; and said combining and transmitting consist of delivering the interactive program guide user interface from the interactive program guide stream having the interactive program guide page corresponding to the determined view action to present the interactive program guide page corresponding to the determined view action on the viewer's equipment." See Office Action, p. 5.

The Office Action cites *Miller* as disclosing the elements. However, *Miller* fails to overcome the deficiencies of *Boucher*. Specifically, the Office Action cites to column 10, lines 36-60 and column 16, 51-60.

However, *Miller*, including the cited sections, merely discloses that "[t]he left/right direction arrow keys 37B allow the user to navigate through selected time periods when the program schedule system is in the BROWSE mode." *Miller*, Col. 10:36-60. "They further allow the user to navigate across subject-matter categories while in the 'Categories' submenu of the MENU mode, as well as to navigate across time periods when the program schedule system is in a pay-per-view ordering mode and, in general, navigate in left or right directions to select various icons and other objects." *Miller*, Col. 10:36-60. Furthermore, "[t]he user manipulates cursor

movement using the direction arrow keys on the remote controller 40” such that “similarly pages to the left if the cursor is at the extreme right side of the display and the right direction arrow is depressed.” *Miller*, Col. 16:51-60.

However, *Miller* doesn’t disclose, teach or suggest “in response to the determined view action, sending a request from the first set-top terminal to a session manager at the headend via a bi-directional out-of-band channel of the broadband content distribution network for an interactive program guide page corresponding to the determined view action,” “retrieving, at the headend, the interactive program guide page corresponding to the determined view action,” “combining, at the headend, the interactive program guide page corresponding to the determined view action and a bit stream for audio and video of a broadcast video program to form a determined transport stream” and “transmitting the determined transport stream to the first set top terminal for extraction, at the first set-top terminal, the interactive program guide page corresponding to the determined view action is presented in the selected interactive program guide user interface on the viewer’s equipment.”

Thus, even if *Miller* discloses “determining, at the first set-top terminal, a view action of moving a cursor to a lookahead time interval within the selected interactive program guide user interface presented on the viewer’s equipment,” *Miller* doesn’t disclose any of the elements that incorporate the “view action,” as claimed.

Thus, *Miller* and *Boucher*, alone or in combination, fail to disclose, teach or suggest the invention as defined in independent claims 15. Dependent claims 16-18 are also patentable over the references, because they incorporate all of the limitations of the corresponding independent claim 15. Further dependent claims 16-18 recite additional novel elements and limitations.

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Applicants reserve the right to argue independently the patentability of these additional novel aspects.

CONCLUSION

In view of the foregoing remarks and amendments, Applicants respectfully request reconsideration and the timely allowance of the pending claims.

The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability.

If a telephone conference would expedite the prosecution of the application, or if there are any issues that remain to be resolved prior to allowance of the claims, Examiner Saltarelli is encouraged to call Steven Owens at 865-380-5988.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 13-2725 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.



Respectfully submitted,

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